

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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|--------------------|---|---------------------|
| JOSEPH M. JOHNSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:12-CV-510-JAR |
| |) | |
| ALAN BLAKE, |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's pro se Motion for Extension of Time (Doc. No. 78) and Motion for Appointment of Counsel. (Doc. No. 79) A review of the file indicates Plaintiff has filed numerous requests for appointment of counsel. (Doc. Nos. 4, 14, 27, 29, 39, 56) The Court has considered each request in light of relevant factors, see Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986) and Nelson v. Redfield Lithography Printing, 728 F.2d 1003, 1004 (8th Cir. 1984), and denied them without prejudice. (Doc. Nos. 9, 15, 32, 45, 57)

In his current motions, Plaintiff requests the Court appoint him counsel and grant him an additional 90 days, presumably to respond to Defendants' pending motion for summary judgment filed January 7, 2014. (Doc. No. 74) Plaintiff states he suffers from a mental illness and is medicated, severely limiting his ability to plead his claims.

Upon consideration, the Court will grant Plaintiff's request for an extension of time to respond to Defendants' motion for summary judgment. With respect to his motion for appointment of counsel, however, the Court finds that Plaintiff's claims, while serious in nature, are straightforward and do not involve intricate issues of law or fact. Plaintiff's prior pleadings before this Court have been articulate and straightforward. He has successfully filed several motions and

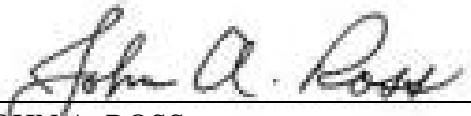
served discovery requests on Defendants, in addition to filing a notice of appeal to the Eighth Circuit, demonstrating his ability to present his position. As such, Plaintiff's motion for appointment of counsel will be denied, without prejudice.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Extension of Time [78] is **GRANTED**. The deadline for filing any response to Defendants' motion for summary judgment, filed on January 7, 2014, is extended from February 7, 2014 to **May 7, 2014**. Any reply brief may be filed no later than **May 19, 2014**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Appointment of Counsel [79] is **DENIED** without prejudice.

Dated this 29th day of January, 2014.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE